WP(C) 1107/2002
BEFORE
THE HON'BLE MR JUSTICE B K SHARMA

Heard Mr. P.J. Saikia, learned counsel for the petitioner and Ms. R. Chokraborty, learned State counsel.

The grievance raised in the writ petition is in respect of the alleged threatening to the petitioner to evict the petitioner from the 'Seat' (Bheti) bearing No. 129-B (New) corresponding to (old) No. B-III No. 50/B measuring about 4' x 5' in the municipal market, Dibrugarh. According to the petitioner he is in authorized occupation of the said Seat, but some miscreants tried to disturb him from the peaceful possession of the same. It is the further grievance of the petitioner that in the 1st week of January, 2002 the officials of the Dibrugarh Municipal Board asked the petitioner to vacate the Seat. In this connection, the petitioner made Annexures- B and C representation to the Executive Officer, Dibrugarh Municipalty and the Deputy Commissioner, Dibrugarh. However, same having yielded any result, he approached this Court by filing the instant writ petition. This Court provided interim protection to the petitioner by order dated 22.02.02 directing the respondents not to vacate the petitioner from the possession of the said Seat (Bheti).

The respondents have not filed any counter affidavit and thus, the contentions raised by the petitioner go unrefuted. I dispose of the writ petition directing the respondents not to vacate the petitioner without following due procedure.

Writ petition stands disposed of.